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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 09/125,031      | 03/10/1999  | SHIRLEY LONGACRE-ANDRE | 0660-0139-0X        | 7351             |

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EXAMINER

GRUN, JAMES LESLIE

ART UNIT PAPER NUMBER

1641

DATE MAILED: 09/17/2003

29

Please find below and/or attached an Office communication concerning this application or proceeding.

09/25/03



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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
|               |             |                       |                     |

| EXAMINER |              |
|----------|--------------|
| J Grun   |              |
| ART UNIT | PAPER NUMBER |
| 1641     | 29           |

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Director of the United States Patent and Trademark Office

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. 35 U.S.C. § 132 states that no amendment shall introduce new matter into the disclosure of the invention.

APPLICANT IS GIVEN A **ONE MONTH** EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

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Technology Center 1600, Reception Area 7<sup>th</sup> Floor  
[Examiner Name], [Sequence Information]  
Crystal Mall One  
1911 South Clark Street  
Arlington, Virginia 22202

Any inquiry concerning this communication should be directed to the examiner, James L. Grun, Ph.D, Technology Center 1600, Group 1640, Art Unit 1641, whose telephone number is (703) 308-3980. The examiner can normally be reached on weekdays from 9 a.m. to 5 p.m. If unable to reach the examiner, Long Le, SPE, can be contacted at (703) 305-3399.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196. The above inquiries, or requests to supply missing elements from Office communications, can also be directed to the TC 1600 Customer Service Office at phone numbers (703) 308-0197 or (703) 308-0198.

*JL Grun*  
James L. Grun, Ph.D.  
September 12, 2003

*Long V. Le*  
LONG V. LE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

09/12/03

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The paper and CRF copies of the Sequence Listing filed 20 Dec 2000 contain new matter and do not present the sequence depicted in the figures. Specifically, nucleotide residues 264 and 315 of the sequence listed as SEQ ID NO:7 are not depicted. G has been substituted for C at both residues in the sequence as is now listed.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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